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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2026

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**THE HON'BLE MR JUSTICE N. ANAND VENKATESH**

**AND**

**THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

H.C.P.(MD)No.485 of 2026

Nagalakshmi

.. Petitioner / sister of the  
detenu

Vs.

1.The State of Tamil Nadu,  
Rep by the Principal Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St George,  
Chennai-9.

2.The Commissioner of Police,  
Madurai City, Madurai.

3.The Superintendent,  
Central Prison,  
Madurai,  
Madurai District.

4.The Inspector of Police,  
Subramaniyapuram Police Station,  
Madurai District.

.. Respondents



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Prayer :Petition filed under Article 226 of the Constitution of India. to issue a writ of Habeas Corpus, to call for the entire records connected with the detention order passed by the second respondent in Detention order No. 74/BBCDEFGISSSV/2025, dated 04.12.2025 and to quash the same and direct the respondents to produce the body or person of the detenu, viz., Vignesh (aged 29) s/o. Velu, before this Court and set him at liberty, now detained at Central Prison, Madurai.

For Petitioner : Ms.M.Niranjana Devi  
For Respondents : Mr.G.Karuppasamy Pandian,  
learned counsel for the State  
of Tamil Nadu (Criminal  
Side)

### **ORDER**

(Order of the Court was made by N. ANAND VENKATESH,J.)

The petitioner is the sister of the detenu, by name, Vignesh (aged 29) s/o. Velu. The detenu has been detained by the second respondent by his order in Detention order No.74/BBCDEFGISSSV/2025, dated 04.12.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.



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2. We have heard the learned counsel appearing for the petitioner and the learned counsel for the State of Tamil Nadu (Criminal Side) appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3. Apart from the other grounds that were raised by the learned counsel appearing for the petitioner, one of the main ground that was raised is that the detenu was arrested on 28.10.2025, whereas, the detention order was passed only on 04.12.2025. There is a delay of 38 days in passing the detention order and this delay is totally unexplained.

4. In our considered view, the issue is squarely covered by the judgment of the Hon'ble Apex Court in the case of ***Sushanta Kumar Banik Vs. State of Tripura and Others*** reported in ***2022 SCC Online SC 1333***.

5. The detention order is vitiated due to the fact that there are three adverse cases and the live and proximate link between the grounds of detention and the purpose of the detention is completely absent. Hence, this Court is inclined to interfere with the detained order passed by the second respondent.



**WEB COPY** 6. In the result, the Habeas Corpus Petition is allowed and the order of detention in Detention order No.74/BBCDEFGISSSV/2025, dated 04.12.2025 passed by the second respondent is set aside. The detenu, viz., Vignesh (aged 29) s/o. Velu, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)  
05.06.2026

Index : Yes / No

Internet : Yes / No

TSG

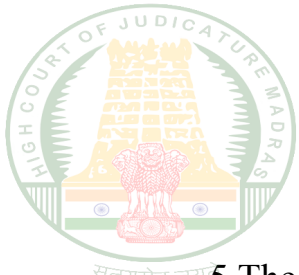
To

1.The Principal Secretary to Government,  
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Chennai-9.

2.The Commissioner of Police,  
Madurai City, Madurai.

3.The Superintendent,  
Central Prison,  
Madurai,  
Madurai District.

4.The Inspector of Police,  
Subramaniyapuram Police Station,  
Madurai District.



5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**N. ANAND VENKATESH,J.  
AND  
K.K.RAMAKRISHNAN,J.**

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